

THE NIXON TAPES

A President's Fateful Reversal

After Early Decision to Destroy Tapes, Nixon Changed His Mind

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The day after White House counsel John W. Dean III started talking to Watergate prosecutors, President Richard M. Nixon ordered his secret White House tapes destroyed, according to newly transcribed conversations from the Nixon era.

It was Monday, April 9, 1973, months before the secret White House recording system would be disclosed at Senate hearings. Neither Nixon nor his top aide, White House Chief of Staff H.R. Haldeman, knew for certain that Dean had begun telling prosecutors what he knew about the burglary and subsequent efforts to thwart investigators. But the day before, Dean, who had coordinated the Watergate coverup, had told Haldeman he was considering some limited disclosures to authorities.

"Well, the hell with Dean," Nixon told Haldeman that Monday morning in the Oval Office. "Frankly, I don't want to have in the record discussions we've had in this room on Watergate." In another conversation later in the day, the president agreed with Haldeman that they ought to "get rid" of the recordings.

These previously unpublished conversations, among hundreds transcribed for The Washington Post and Newsweek, show Nixon quickly grasping the dangers his tapes contained. The tapes, which have been in the custody of the National Archives for two decades, also reveal new insights into the president as a manipulative, master politician overseeing every detail: approving a "shakedown" of the milk lobby for surreptitious campaign donations, fixing the price of ambassadorships, orchestrating "dirty tricks" against opponents, thanking the donor of hush money for the Watergate burglars.

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NATIONAL ARCHIVES

President Richard Nixon and Chief of Staff H.R. Haldeman in undated Oval Office photo.

■ Long before Watergate, Nixon had a role in political mischief. Page A19

■ The man behind Watergate hush money got a thank-you. Page A19

THE NIXON TAPES

Look, if we went in in sackcloth and ashes and fired realize that isn't going to satisfy these Goddamn

Nixon's Calculations About White House

the whole White House staff, Price doesn't cannibals.

Tapes Preceded Public Disclosure



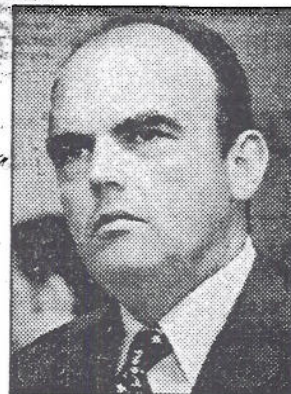
FILE PHOTO

JOHN W. DEAN III: *The White House counsel had spoken with Nixon about the Watergate defendants wanting hush money.*



FILE PHOTO

H.R. HALDEMAN: *On April 9, 1973, the president agreed with his chief of staff that they ought to "get rid" of the tape recordings.*



FILE PHOTO

JOHN EHRLICHMAN: *Nixon wanted his top domestic adviser and Haldeman to work out "sort of a game plan" to counter Dean.*



FILE PHOTO

JOHN N. MITCHELL: *Nixon indicated there would be "a total pardon" for his aides, including the former attorney general.*

Hell, they aren't after Ehrlichman or Haldeman or Dean.

They're after me, the President. They hate my guts.

TAPES, From A1

As the Watergate crisis mounted in the spring of 1973, the tapes also show Nixon trying one ploy after another to keep the scandal from engulfing his presidency and, in the process, calculating how to handle the tapes. After deciding to get rid of them, he then changed his mind. Alert to the hazard they posed, he nevertheless soon became forgetful again, even promising a "total pardon" for his implicated top aides as the recording machines continued to pick up his words.

Until now, it has been widely believed that Nixon did not consider destroying his tapes until after White House aide Alexander Butterfield publicly revealed their existence to the Senate Watergate Committee on July 16, 1973. Nixon asserted in his memoirs that he decided against it after long discussions with his aides in the wake of Butterfield's testimony. He was persuaded, he wrote, that destroying them then would "create an indelible impression of guilt," far more damaging than any revelations they contained. He also assumed, as one historian has written, that they were as sacrosanct as any presidential document, fully protected by the legal doctrine of executive privilege.

What Nixon failed to mention in his memoirs was his initial decision to destroy the tapes, before any outsider learned of them, and how that decision—which might have saved his presidency—was eroded by a desire to use them, selectively, for his own defense and for his autobiography.

Forced to resign in disgrace in August 1974, Nixon spent the rest of his life trying to put the tapes behind him, litigating against fresh disclosures and winning status as an elder statesman with a series of memoirs, foreign policy pronouncements and carefully scripted appearances.

But the more than 200 hours of newly

transcribed tapes reflecting "abuses of governmental power"—as the National Archives has categorized these conversations—will serve as a counterweight to that carefully burnished image. Sixty hours of tapes had previously been released starting in the 1970s.

Nixon's first instinct was to destroy them. He did not follow that instinct, and they helped destroy his presidency.

At the White House on April 9, Nixon did not elaborate on incriminating discussions he'd had with Dean. But other newly transcribed tapes show that in subsequent weeks he fretted over a long talk they had on March 21, 1973. During that session, Dean had warned Nixon of "a cancer on the presidency" and tried to bring the point home by emphasizing that the original Watergate defendants were demanding hush money—perhaps as much as \$1 million.

"We could get that," Nixon had told Dean in a taped conversation that became public during the 1974 House impeachment inquiry. "And you could get it in cash. I know where it could be gotten. . . . It would seem to me that would be worthwhile."

During the previously undisclosed Oval Office conversations between Nixon and Haldeman, nearly three weeks after Nixon's talk with Dean, the president recalled that he and the counsel had "discussed a lot of stuff." But Nixon then mused that some tapes might be worth keeping to prove that he never ordered the June 17, 1972, Watergate break-in and bugging of Democratic National Committee headquarters in the Watergate complex.

"Maybe we ought to keep the [tapes for] the whole goddamn campaign period," Nixon told Haldeman on April 9. "We can prove we never discussed anything pertaining to the crummy Watergate. . . . When you think of all the discussions we've had in this room, that goddamn thing never came up."

Haldeman threw cold water on the idea. "Who you going to prove it to?" he asked. Nixon's opponents, Haldeman said, "could also argue that, you know—"

Nixon finished the sentence for him: "—that

we destroyed stuff?"

"Well, you discussed that," Haldeman replied.

By that afternoon, the matter seemed settled. Haldeman told Nixon he would review the tapes, "pull out what we want, and get rid of the rest of it." The discussion was elliptical, but they appeared inclined to preserve conversations pertaining to "the national security."

"And we want to get rid of the rest of it," Haldeman repeated.

"That's right," Nixon agreed.

At that point, Haldeman tried to explain to Nixon how the taping system was triggered automatically by the Secret Service "locator signal that tells what office you're in." If Nixon wasn't in a particular room, the tape recorders remained off. The two men tentatively decided to dismantle the system and install a new telephone recording device that Nixon could activate with a switch. The meeting ended with

Nixon, notoriously inept with mechanical devices, sounding a bit uncertain about how to operate the gadget Haldeman showed him.

Suspensions about Dean had intensified the day before, when the boyish-looking lawyer called Haldeman at Nixon's retreat in San Clemente, Calif., to say that his lawyers wanted him to meet with prosecutors. Dean has said he tried to assuage Haldeman by telling him the prosecutors were pursuing only those who had authorized the Watergate bugging, such as former attorney general John N. Mitchell, not those involved in a coverup. Haldeman had warned Dean to hold off because "once the toothpaste is out of the tube, it's going to be very tough to get it back in," according to Dean's subsequent accounts.

The tapes and the taping system came up again on April 16 and April 18, at the president's morning meetings with Haldeman. Nixon had changed his mind. He didn't want to get rid of the tapes just yet and he wanted to keep the machines going. Nixon had just discovered that Dean was pointing an accusing finger at Haldeman and domestic affairs adviser John D. Ehrlichman, and the president wanted his two top aides to work out "sort of a game plan."

"Incidentally," Nixon asked Haldeman on April 16, "is this [taping] equipment working at the present time, or has it been removed, do you know?"

"I think it's still working," Haldeman told him.

"Fine," Nixon said.

On April 18, Nixon told Haldeman to "take all these tapes" and review them, "as a service to the [future Nixon] library." He also wanted Haldeman to determine how damaging they were and whether any might be helpful.

"In other words, I'd like it if there's some material there that's probably worth keeping," Nixon told his chief of staff. "Most of it is worth destroying."

The president also made clear that he did not want to shut the "damn" system down. "You know what I mean," Nixon said. "You never know what conversation is [going to be] interesting and so forth and so on."

Haldeman agreed. "[It's] not a bad thing for you to have," he told Nixon.

Nixon's change of heart may have been spurred by the uneasy session he'd had with Dean on the night of April 15. The Watergate prosecutors—Earl Silbert, Seymour Glazer and Donald Campbell—had notified the high command at Justice that Dean was helping them build an obstruction of justice case

against Haldeman and Ehrlichman. In an interview last week, Dean said he believed the prosecutors were going to keep his cooperation to themselves, because once senior Justice officials learned of his help the news "would get right back to Nixon."

As Dean feared, the high command, Attorney General Richard G. Kleindienst and Assistant Attorney General Henry E. Petersen, promptly told the president. The newly transcribed Nixon tapes even show Petersen, on a White House phone in Nixon's presence, getting a rundown from Silbert on the afternoon of April 15.

"Essentially, it's unbelievable," Silbert told Petersen. "We have an obstruction case against Haldeman and Ehrlichman in the sense that they knew everything that was going on." Alluding to hush money set aside for the Watergate defendants, Silbert added, "I mean the \$350,000 comes from Haldeman."

Nixon summoned Dean for a meeting in the Old Executive Office Building that night. The president reported in his memoirs that Dean "seemed almost cocky," confident he would get immunity. By Dean's account, Nixon was posturing, trying to rehabilitate himself by telling Dean that their March 21 meeting was "the first time" Nixon had gotten "the whole picture."

"It was a lie," Dean wrote in his book, "Blind Ambition," but he went along with it. "Yes, sir," he said. Then Nixon leaned toward Dean and said with a soft laugh: "You know, that mention I made to you about a million dollars and so forth as no problem. . . . I was just joking, of course, when I said that."

Nixon apparently wanted to keep the tape of that April 15 meeting. On April 18, as Petersen later told special Watergate prosecutors, the president offered to let Petersen listen to it. But it was never found. The Secret Service testified at subsequent court hearings that the Old Executive Office Building recording machine probably ran out of tape earlier that weekend.

Haldeman listened to numerous tapes in the weeks ahead. For example, on April 26, 1973, Haldeman called Stephen B. Bull, a Nixon assistant, and asked him to pull "that stuff" out of the files "for the period from March 10th to March 23rd," according to the new tapes. "I don't know what form it's in," Haldeman said, "but put it in some kind of bag so it isn't obvious. And also get a machine that is technically capable of listening to it."

Haldeman continued to review the tapes even after Nixon forced him and Ehrlichman to resign on April 30. (Dean was fired.) Halde-

man's papers show that he also collected damaging notes and memos reflecting the coverup on return visits to the White House, in line with Nixon's instructions to put "the vulnerabilities" down on paper. In a handwritten summary dated May 7, 1973, Haldeman carefully described it as "Notes from P[resident's] file" and "fully privileged."

The reviews kept Haldeman acutely aware of the taping system even as Nixon once again grew inattentive to its presence. The two men met in Nixon's Old Executive Office Building hideaway suite on May 18, 1973, and the president distastefully recalled how Kleindienst, "that tower of jelly," and Petersen had told him April 15 that Haldeman and Ehrlichman should resign immediately. "A bunch of [expletive] stuff," the president told Haldeman, then added:

"What I mean to say is this. We're talking in the confidence of this room. I don't give a [expletive] what comes out on you or John or even on poor, damn, dumb John Mitchell. There is going to be a total pardon."

"Don't—don't even say that," Haldeman warned.

"You know it," Nixon went on, oblivious of the microphones. "You know it and I know it."

"No, don't say that," Haldeman protested again, to no avail.

In the midst of all this turmoil, Nixon expressed a keen sense of being cornered by his enemies. Even if he fired the whole White House staff, he told press secretary Ronald L. Ziegler on April 27, "that isn't going to satisfy these goddamn cannibals! . . . Hell, they aren't after Ehrlichman or Haldeman or Dean. They're after me! The president. They hate my guts. That's what they're after."

Nixon fought ferociously to prevent the tapes from falling into the hands of Watergate prosecutors, even to the point of triggering demands for his impeachment when he fired Watergate special prosecutor Archibald Cox in the "Saturday Night Massacre" of Oct. 20, 1973. He finally lost the legal battle in the Supreme Court the next summer and, shortly thereafter, his presidency. The tapes had brought him down.

"I had bad advice, bad advice from well-intentioned lawyers who had sort of a cockeyed notion that I would be destroying evidence," Nixon said years later in a videotaped interview. "I should have destroyed them."

Special correspondent Lucy Shackelford contributed to this report.



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RICHARD M. NIXON: *With daughter Tricia Cox behind him, the president announces his resignation on Aug. 8, 1974.*